

ARTICLE 1
GENERAL PURPOSE AND LEGAL STATUS PROVISIONS

Sec. 1.1	Official Title
Sec. 1.2	Scope and Jurisdiction
Sec. 1.3	Authority
Sec. 1.4	Purposes
Sec. 1.5	Rules of Construction
Sec. 1.6	Adoption and Effective Date
Sec. 1.7	Repeal of Conflicting Codes
Sec. 1.8	Validity and Severability
Sec. 1.9	Previously Issued Permits
Sec. 1.10	Governmental Bodies
Sec. 1.11	Codification

SECTION 1.1 OFFICIAL TITLE

This Ordinance shall be known and may be formally cited as, the “Hancock County, Georgia Land Development Code,” or alternatively cited as the “Hancock County Land Development Code.” The terms “Code” and “Ordinance” may be interchangeably used as abbreviations of the official title of the Hancock County Land Development Code.

SECTION 1.2 SCOPE AND JURISDICTION

This Ordinance constitutes the unified land development code for the Hancock County, Georgia, and includes regulations governing the zoning of property, building development, subdivision of land, signage, and a variety of other related topics regarding the general development, management, or use of land. The provisions of the Hancock County Land Development Code shall govern all land and development within the limits of Hancock County, Georgia.

SECTION 1.3 AUTHORITY

The Board of Commissioners of Hancock County, Georgia, under the authority of Article IX, Section 2, Paragraph 4 of the Constitution of the State of Georgia enacted July 1, 1983, as amended; and, pursuant to the Zoning Procedures Law (O.C.G.A §36-66-1 et seq.) and other applicable laws enacted by the Georgia General Assembly, and the rules of various departments of the Georgia State Government which shall not be deemed to limit or repeal any other powers granted the Governing Body under state statutes; hereby ordains, and enacts into law those articles and sections contained within this Ordinance and including all subsequent amendments to this Ordinance.

SECTION 1.4 PURPOSES

The purposes of the Hancock County Land Development Code, including those provisions governing the exercise of zoning power as applicable, include but are not limited to the following:

1. Promote the health, safety, welfare, morals, and prosperity of the residents of Hancock County, Georgia;
2. Preserve the unique character of Hancock County, Georgia;
3. Classify land uses described by individual zoning districts, overlay districts, and special zoning districts;
4. Balance the interest of both public and private entities in land development;
5. Protect established land-uses from the encroachment of incompatible uses;
6. Promote responsible growth, secure safety from fire and health dangers, and promote desirable living conditions;
7. Provide economically sound and stable land development by assuring that development activity is supported by adequate infrastructure.

Article 1, General Purpose and Legal Status Provisions

Hancock County, GA, Land Development Code

SECTION 1.5 RULES OF CONSTRUCTION

Standard rules related to the construction and use of this Code include but are not limited to the following:

1. The interpretation and application of the provisions of the Hancock County Land Development Code shall be held to the minimum requirements for the promotion of the health, safety, and general welfare of the residents of Hancock County, Georgia.
2. Where there is a conflict between the provisions of this Code, the more restrictive provision shall prevail unless the specific language of the Code requires a different interpretation.
3. Where an amendment to this Code has been adopted by the Board of Commissioners of Hancock County and the adopted amendment conflicts with an existing provision found in the Hancock County Land Development Code, the provision which is more restrictive shall prevail.
4. Purpose statements are not regulatory standards but rather descriptions of intent that guide the application and administration of this Code.
5. Graphics and illustrations are not regulations, but rather are included as examples for the convenience of the reader. Where there is an inconsistency between a graphic or illustration and the written text, the written text shall control unless otherwise provided in the specific Section.

SECTION 1.6 ADOPTION AND EFFECTIVE DATE

It is ordained by the Board of Commissioners of Hancock County, Georgia that the following Articles and Sections that collectively constitute the Hancock County Land Development Code of Hancock County, Georgia are adopted. This Code shall take effect immediately upon its adoption.

SECTION 1.7 REPEAL OF CONFLICTING CODES

All other conflicting Codes or Ordinances or parts of Codes or Ordinances related to the content of the Hancock County Land Development Code are hereby repealed.

SECTION 1.8 VALIDITY AND SEVERABILITY

If any Article, Section, subsection, sentence, clause, phrase, or portion of the Hancock County Land Development Code, or any amendment is for any reason held invalid or unconstitutional by a court of a competent jurisdiction, such portion shall be deemed as a separate, distinct, and independent provision, and such decision shall not affect the validity of any remaining portions of the Hancock County Land Development Code which have not specifically been declared to be invalid.

SECTION 1.9 PREVIOUSLY ISSUED PERMITS

The validity of permits issued prior to the adoption of the Hancock County Land Development Code and any subsequent amendments shall not be affected unless such permit shall have otherwise been invalidated by expiration or other cause not associated with this Code.

SECTION 1.10 GOVERNMENTAL BODIES

Unless otherwise specifically provided, governmental bodies and authorities exempt from regulation under the police power of Hancock County are exempt from the regulations contained in this Ordinance.

SECTION 1.11 CODIFICATION

The Board of Commissioners of Hancock County hereby affirms that the Hancock County Land Development Code is an ordinance of Hancock County, Georgia, and orders that all Articles, Sections, and subsections of the Code may be renumbered at a later time to appropriately fit within the Hancock County Code of Ordinances, if necessary.